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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/679,882	10/05/2000	Hisanori Nakajima	Q61079	7624

7590 07/01/2005

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EXAMINER

PHAM, THIERRY L

ART UNIT	PAPER NUMBER
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2624

DATE MAILED: 07/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/679,882

Applicant(s)

NAKAJIMA ET AL.

Examiner

Thierry L. Pham

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 21 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☒ Claim(s) 1-42 are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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### **DETAILED ACTION**

- This action is responsive to the following communication: an Amendment filed on 12/21/04.
- Claims 1-42 are pending in application; Claims 40-42 are newly added.
- Replacement Drawings (figs. 12-13) have been received and acknowledged.
- Amendment filed respect to the Specification (Disclosure and Title) has been received and acknowledged.

#### ***Response to Arguments***

Applicant's arguments, see pages 33-46, filed 12/21/04, with respect to claims 1-39 have been fully considered and are persuasive. The rejection of claims 1-39 has been withdrawn.

#### ***Election/Restrictions***

Restriction to one of the following inventions is required under 35 U.S.C. 121:

Group I: Claims 1, 6, 9, 11-20, and 40-42 drawn to a control unit for issuing a double-side print command and generating a feed command for correcting/delaying/adjusting the timing of feeding the printing medium, classified in class 358, subclass 1.13.

Group II: Claims 2-5, 7-8, 10, and 21 drawn to a printer control unit for issuing a command to a printer which suspends the advancement of the printing medium by rotating a registered roller in the direction to move the printing medium backward before restart of advancement for printing a second image and to rotate a registered roller at a rotational speed in accordance with detected ink information, classified in class 358, subclass 1.9.

Group III: Claims 22-32 drawn to a printer control unit for issuing a command to an inkjet printer for inquiring information about printer's capability with respect to a one-side and double-side printing mode with odd-numbered and even-numbered pages, classified in 358, subclass 1.13.

Group IV: Claims 33-35 drawn to an inkjet printer includes an installation detecting means for detecting whether or not an inkjet printer is having a reverse print mechanism, classified in 358, subclass 1.1.

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Group V: Claims 36-39 drawn to a print system including a printer control unit communicating with an inkjet printer, wherein a printer control unit for issuing a command to an inkjet printer inquiring its capability (i.e. double-side printing and reversing printing mechanism for even-numbered and odd-numbered pages), classified in 358, subclass 1.15.

Inventions I-V are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I has separate utility such as a control unit for issuing a double-side print command and generating a feed command for correcting/delaying/adjusting the timing of feeding the printing medium, classified in class 358, subclass 1.13, wherein invention II has a separate utility as a printer control unit for issuing a command to a printer which suspends the advancement of the printing medium by rotating a registered roller in the direction to move the printing medium backward before restart of advancement for printing a second image and to rotate a registered roller at a rotational speed in accordance with detected ink information, wherein III has a separate utility as a printer control unit for issuing a command to an inkjet printer for inquiring information about printer's capability with respect to a one-side and double-side printing mode with odd-numbered and even-numbered pages, wherein IV has a separate utility as to an inkjet printer includes an installation detecting means for detecting whether or not an inkjet printer is having a reverse print mechanism, and wherein V has a separate utility as to a print system including a printer control unit communicating with an inkjet printer, wherein a printer control unit for issuing a command to an inkjet printer inquiring its capability (i.e. double-side printing and reversing printing mechanism for even-numbered and odd-numbered pages).

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, each Group requiring a separate field of search, and their recognized divergent subject matter, restriction for examination purposes as indicated is proper.

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Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 C.F.R. 1.48 (b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a diligently-filed petition under 37 C.F.R. 1.48(b) and by the fee required under 37 C.F.R. 1.17(h).

A telephone call was made to Kelly Hyndman on 6/6/05 to request an oral election to the above restriction requirement, but did not result in an election being made.

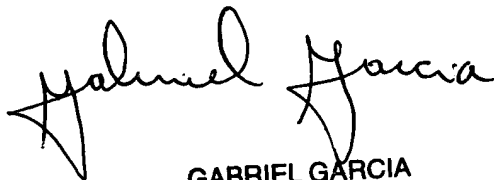
Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thierry L Pham whose telephone number is (703) 305-1897. The examiner can normally be reached on M-F (9:30 AM - 6:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K Moore can be reached on (703)308-7452. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.

Thierry L. Pham



GABRIEL GARCIA  
PRIMARY EXAMINER